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Agenda item 10

Technical assistance and capacity-building

Algeria (on behalf of the African Group): draft resolution

29/... Report of the High Commissioner on technical cooperation and capacity-building for South Sudan in the field of Human Rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and relevant human rights treaties,

Emphasizing that States have the primary responsibility for the promotion and protection of human rights,

Recalling Human Rights Council resolution 5/1 of 18 June 2007, as well as Council resolutions 18/17 of 29 September 2011, 21/28 of 28 September 2012, 23/24 of 14 June 2013 and 26/31 of 27 June 2014 on technical assistance and capacity-building for South Sudan in the field of human rights, and President's statement PRST 25/2 of 28 March 2014,

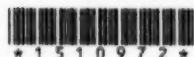
Recalling also all relevant decisions and communiqués of the African Union and the Intergovernmental Authority on Development,

Taking note of the report of the United Nations High Commissioner for Human Rights on the human rights situation in South Sudan,¹

Noting with deep concern the prevailing situation on the ground marked by continued fighting and attacks against civilians, as well as a dire humanitarian crisis, including forced displacement, acute food insecurity, access restrictions and other impediments to humanitarian assistance,

Strongly condemning all ceasefire violations committed by the parties, as reported by the Monitoring and Verification Mechanism of the Intergovernmental Authority on Development, as well as the attacks and other egregious acts of violence and abuses of human rights against civilians, including during the fighting in Upper Nile and Unity States in April and May 2015,

¹ A/HRC/28/49.



Condemning in the strongest terms the attacks and other acts of violence and harassment targeting the humanitarian agencies and their personnel and assets. Commending the humanitarian agencies for their continued assistance to the affected populations and, once again, urges all concerned actors to fully cooperate with them,

Deeply concerned by reports of alleged continued violence against children,

Expressing particular concern at increasing reduction in the democratic space in South Sudan, including through the restrictions on the exercise of the human rights to freedoms of expression, peaceful assembly and association,

Emphasizing that persistent barriers to the implementation of Security Council resolution 1325 (2000) of 31 October 2000 will only be dismantled through a dedicated commitment to women's empowerment, participation and human rights, and through concerted leadership, consistent information and action, and support to build women's engagement at all levels of decision-making,

Welcoming the leading mediation efforts of the Intergovernmental Authority on Development and its new Plus mechanism, and the contribution of the African Union, encouraging the renewed regional and international efforts to implement swiftly a comprehensive solution to end the crisis in South Sudan, and urging all parties to engage meaningfully in the peace process so to bring about a political resolution of the crisis and an end to the violence,

Welcoming also the dialogue and Agreement on the reunification of the Sudanese People's Liberation Movement of 21 January 2015, commending the leading role played by the United Republic of Tanzania in bringing together all groups of the Sudanese People's Liberation Movement – namely, the Sudanese People's Liberation Movement in Government, the Sudanese People's Liberation Movement in Opposition and the Sudanese People's Liberation Movement–Former Detainees – to elaborate and finalize the Agreement, also welcoming the recent reinstatement of the dismissed political leaders of the Sudanese People's Liberation Movement to their previous positions, and calls upon the Sudanese People's Liberation Movement in Opposition to fulfil its obligations under the Arusha Agreement,

Calling upon the international community to support the national efforts made by the Government of South Sudan to achieve sustainable peace in the country and urging the United Nations Mission in South Sudan to continue to cooperate and to provide technical support and capacity-building to South Sudan,

Mindful of the immense challenges facing South Sudan as one the least developed countries in the world, facing acute food and water crises, slow progress in its infrastructure and lack of services,

Welcoming the establishment and work of the African Union Commission of Inquiry on South Sudan, and stressing the importance of thorough and genuine investigations into all human rights violations and abuses, and violations of international humanitarian law, with a view to bringing perpetrators to justice,

Welcoming also the communiqué of 13 June 2015 by the African Union Peace and Security Commission, and the Commission's plans to consider the report at a meeting in July 2015, anticipating with interest to the Commission's findings and recommendations, and encouraging the public release of its final report as soon as possible,

1. *Expresses grave concern* at the ongoing human rights violations and abuses and violations of international humanitarian law in South Sudan;

2. *Demands* that all actors halt all human rights violations and abuses and all violations of international humanitarian law, and strongly calls upon the Government of

South Sudan to ensure the protection and promotion of human rights and fundamental freedoms, in particular those of women and children;

3. *Stresses* the importance of accountability, reconciliation and healing as prominent elements of a transitional justice mechanism, and also stresses that perpetrators of violations of international humanitarian law and human rights violations and abuses should be held accountable and brought to justice;

4. *Calls upon* the Government of South Sudan to investigate and report on atrocities, including human rights violations and abuses and violations of international humanitarian law, and to hold those responsible to account;

5. *Recognizes* the importance of independent and public human rights monitoring, investigation and reporting mechanisms for their useful role in laying the groundwork for justice, accountability, reconciliation and healing among members of all South Sudanese communities;

6. *Welcomes* the continued positive engagement of Intergovernmental Authority on Development through the IGAD-Plus mechanism to further push forward the peace process and political dialogue to bring about peace and stability in South Sudan;

7. *Also welcomes* the steps taken towards the implementation of the Agreement on the Reunification of the Sudan People's Liberation Movement of 21 January 2015, notes the efforts of the Chama Cha Mapinduzi of the United Republic of Tanzania, the African National Congress of South Africa and the Ethiopian People's Revolutionary Democratic Front of Ethiopia in this regard aimed at reuniting the Sudan People's Liberation Movement, and the subsequent return of former political detainees, and encourages all parties, in particular the former detainees, to fully play the role expected of them in fostering dialogue and understanding among the leaders of the Sudan People's Liberation Movement, in the overall interest of their country and people, as part of the search for peace, security and reconciliation in South Sudan;

8. *Further welcomes* the appointment of the former President of Mali, Alpha Oumar Konaré, as the African Union High Representative for South Sudan;

9. *Urges* all parties to respect and implement the agreements mediated by the Intergovernmental Authority on Development and to commit to inclusive dialogue, reconciliation and peacebuilding; notes with concern that, since the signing of the Cessation of Hostilities Agreement in January 2014, breaches have continued from both sides of the conflict; calls for this agreement to be respected and for all fighting to cease; and urges the parties to reach a peace agreement to end the conflict;

10. *Expresses its appreciation* for the support of neighbouring countries to refugees, and calls upon the international community to help neighbouring countries hosting refugees, especially women, children and persons with disabilities;

11. *Calls upon* the international community to provide financial and technical assistance to South Sudan in order to improve the conditions of the Human Rights through addressing the acute food and water crises, and improving infrastructure and basic services, including education and health-care services;

12. *Urges* the Government to take immediate steps to protect the human rights to freedoms of expression, peaceful assembly and association;

13. *Welcomes* the implementation by the Government of South Sudan of the revised plan of action to end recruitment of children and to prevent violations committed against them, and strongly urges the Sudan People's Liberation Movement/Army in Opposition to fully and immediately implement its commitment to end violations and abuses against children signed on 10 May 2014;

14. *Recognizes* the important role that women play in building peace, calls for the protection and promotion of women's rights, their empowerment and participation in peacebuilding, conflict-resolution and post-conflict processes, in accordance with Security Council resolution 1325 (2000), and the need to honour commitments made by all parties and to take action to tackle sexual violence, and in this regard calls upon South Sudan to meet the commitments from the joint communiqué on sexual violence signed with the United Nations on 11 October 2014;

15. *Reiterates* the importance of sustaining an objective assessment of the human rights situation in South Sudan;

16. *Requests* the Office of the United Nations High Commissioner for Human Rights:

(a) To engage with the Government of South Sudan to monitor, assess and report on the situation of human rights with a view to providing support to the country to fulfil its human rights obligations in consultation with the Government, and to make recommendations on technical assistance and capacity-building and on ways to improve the human rights situation in the country;

(b) To engage the Government of South Sudan and other relevant stakeholders, to incorporate a gender perspective, and to consider a full range of information, including from relevant human rights mechanisms, in particular the Human Rights Division of the United Nations Mission in South Sudan in the fulfilment of this mandate with a view to help the country to fulfil its human rights obligations;

(c) To support domestic, regional and international efforts towards accountability, reconciliation and other transitional justice measures, including through recommendations concerning appropriate technical assistance, taking into consideration the findings and recommendations in the report of the African Union Commission of Inquiry on South Sudan;

17. *Calls upon* the Government of South Sudan to cooperate fully with the Office of the High Commissioner in the implementation of the present resolution, including by facilitating visits and access to the country;

18. *Encourages* the Office of the High Commissioner and relevant special procedures mandate holders to provide, in consultation with the Government of South Sudan, advice and technical assistance on implementing the above-mentioned steps;

19. *Calls upon* the Government of South Sudan to continue to cooperate constructively with the United Nations, including the United Nations Mission in South Sudan;

20. *Requests* the High Commissioner to present to the Human Rights Council at its thirty-first session a preliminary oral report, and to present a full report to the Council at its thirty-second session in an interactive dialogue;

21. *Requests* the Office of the High Commissioner provide all necessary and appropriate resources to fulfil the present resolution;

22. *Decides* to remain seized of the matter.
